

EROSIVITY WAIVER CERTIFICATION for Exclusion from UPDES Storm Water Permitting (7-02)

STATE OF UTAH, DEPARTMENT OF ENVIRONMENTAL QUALITY, DIVISION OF WATER QUALITY
288 NORTH 1460 WEST, P.O. BOX 144870, SALT LAKE CITY, UTAH 84114-4870

Submission of this Erosivity Waiver Certification constitutes notice that the entity identified in Section A does not require permit authorization for its storm water discharges associated with construction activity in the State of Utah due to the existence of a condition of low erosivity potential at the site of grading. Submission of this form does not relieve the operator of permitting requirements for other regulated activities/discharges which may pertain to the construction activity (e.g. dewatering activities, process waste water discharges, non-storm water discharges, etc.)

A condition of low erosivity exists at a construction site when the construction activity will commence and reach final stabilization between January 1 and April 30 of the same year. Small construction activities include sites which will grade > 1 acre and < 5 acres per common plan (calculation to include all phases of development and areas of support activities.) If final stabilization is not achieved by April 30 then coverage under the Utah Pollutant Discharge Elimination System (UPDES) General Permit for Storm Water Discharges Associated with Small Construction Activities is required.

An erosivity waiver certification form must be submitted for each small construction site qualifying for the waiver. By signing and submitting this form,

A. Facility Operator Information

1. Name: _____ 2. Phone: _____

3. Mailing Address a. Street: _____

b. City: _____ c. State: _____ d. Zip Code: _____

B. Facility/Site Location Information

1. Facility Name: _____

2. a. Street Address: _____

b. City: _____ c. County: _____

d. State: _____ e. Zip Code: _____

3. Is the construction site located on Indian Lands? Yes **G** No **G**

4. a. Latitude: _____ b. Longitude: _____

5. Total graded area of site associated with construction activity: _____ acres

C. Certification Statement

I certify under penalty of law that I have read and understand the eligibility requirements for claiming a condition of "low erosivity" and obtaining an exclusion from UPDES storm water permitting.

Additionally, I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Print Name: _____ Date: _____

Where to File the Low Erosivity Certification Form

Mail the completed certification form to:

Department of Environmental Quality

Division of Water Quality

P.O. Box 144870

Salt Lake City, UT 84114-4870

Completing the Form

You must type or print, using uppercase letters, in appropriate areas.

One form must be completed for each facility or site for which you are seeking to certify a condition of low erosivity. Please make sure you have supplied all applicable information and have made a photocopy for your records before sending the completed form to the above address.

Section A. Facility Operator Information

1. Provide the legal name of the person, firm, public organization, or any other entity that operates the facility or site described in this certification.

The name of the operator may or may not be the same as the name of the facility. The operator is the legal entity that controls the facility's operation, rather than the plant or site manager.

2. Provide the telephone number of the facility operator.

3. Provide the mailing address of the operator (P.O. Box numbers may be used). Include the city, state, and zip code. All correspondence will be sent to this address.

Section B. Facility/Site Location Information

1. Enter the official or legal name of the construction site.

2. Enter the complete street address (if no street address exists, provide a geographic description), city, county, state, and zip code.

3. Indicate whether the construction site is located on Indian Lands.

4. Enter the latitude and longitude of the approximate center of the site in degrees/minutes/seconds.

Latitude and longitude for a facility in decimal form must be converted to degrees (°), minutes ('), and seconds (") for proper entry on the certification form. To convert decimal latitude or longitude to degrees/minutes/seconds, follow the steps in the following example.

Example: Convert decimal latitude 45.1234567 to degrees (°), minutes ('), and seconds (").

a) The numbers to the left of the decimal point are the degrees: 45°.

b) To obtain minutes, multiply the first four numbers to the right of the decimal point by 0.006: $1234 \times 0.006 = 7.404$.

c) The numbers to the left of the decimal point in the result obtained in (b) are the minutes: 7'.

d) To obtain seconds, multiply the remaining three numbers to the right of the decimal from the result obtained in (b) by 0.06:

$404 \times 0.06 = 24.24$. Since the numbers to the right of the decimal point are not used, the result is 24". e) The conversion for $45.1234567 = 45^\circ 7' 24''$.

5. Enter the total area of the site associated with construction activity which will be graded in acres.

Acreage may be determined by dividing square footage by 43,560, as demonstrated in the following example.

Example: Convert 54,450 ft² to acres

Divide 54,450 ft² by 43,560 square feet per acre:

$54,450 \text{ ft}^2 \div 43,560 \text{ ft}^2/\text{acre} = 1.25 \text{ acres}$.

6. Enter the start date for the construction. This is the date that any grading activity will commence at the site. Enter the final stabilization date of the construction. Final Stabilization means that all soil disturbing activities at the site have been completed, and that a uniform (e.g. evenly distributed, without large bare areas) perennial vegetative cover with a density of 70% of the native background vegetative cover for the area has been established on all unpaved areas and areas not covered by permanent structures, or equivalent permanent stabilization measures (such as the use of riprap, gabions, or geotextiles) have been employed.

Section C. Certification Statement

State statutes provide for severe penalties for submitting false information on this application form. State regulations require this application to be signed as follows:

For a corporation: by a responsible corporate officer, which means:

(i) president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation, or

(ii) the manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate